**THE HON'BLE SRI JUSTICE C.V. RAMULU**

Monday, 27th November, 2006

**W.P.No.22499 of 2006**

Between:

B.V. Subba Reddy Constructions
Private Ltd., rep. by its Managing
Director – B.Srinivasul Reddy … Petitioner

and

The Superintending Engineer,
Bheema Lift Irrigation Project
(BLIP) Circle, Pebbair,
Mahabubnagar District
and others

… Respondents

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**ORAL ORDER:**

Learned counsel for the petitioner asserted that this Writ Petition can be disposed of in the light of the Judgment rendered in Writ Petition No.11913 of 2006, dated 23-10-2006.

The prayer in the Writ Petition is to declare the action of the 1st respondent in rejecting the representation of the petitioner by Proceedings dated 13-10-2006 as arbitrary and illegal and consequently to direct the respondents to revise the estimates in terms of Minutes of Board Meeting dated 30-1-2004 and 15-3-2004 along with relevant instructions issued by the Government from time to time on par with similarly situated persons in respect of the work relating to Bheema Lift Irrigation Project Lift II earth work excavation and forming encroachment from KM 4.550 to KM 6.600 of gravity Canal Kothakota, Mahabubnagar District under Agreement No.25/BLIP/2004, dated 25-11-2004.

I have perused the Judgment in Writ Petition No.11913 of 2006, dated 23-10-2006. I am of the opinion that this Writ Petition also can be disposed of in the light of the above Judgment. In the circumstances, the impugned Proceedings are set aside and the respondents are directed to consider the case of the petitioner as per the resolution on Agenda Item No.8(vi) of the meeting of the Board of Chief Engineers held on 21-1-2004 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs.

27-11-2006

prk